

Defendants knowingly paid Plaintiff her flat hourly rate for all hours worked but failed to pay her the required time and a half overtime pay for hours worked in excess of 40 hours per week.

Defendants deny Plaintiff's allegations and maintain that Plaintiff did not work in excess of 40 hours per week for any of the Defendants. Nevertheless, if Plaintiff can show she worked in excess of 40 hours per week, she was compensated for said overtime. Additionally, the pay she was compensated for by Defendant Loving Individuals Generating Healing Today was in the form of a gift for volunteering with Defendant Loving Individuals Generating Healing Today.

II. Statement of Stipulated Facts

The parties agree that the following are uncontested facts that will require no proof at trial:

1. This Court has jurisdiction over the subject matter of this action;
2. Venue is proper in the Northern District of Texas;
3. Defendants A Habitat for Learning and Loving Individuals Generating Healing Today are each an enterprise engaged in commerce;
4. Defendants Steven Van Horne and Michelle Van Horne were managing agents of A Habitat for Learning and said Defendants acted in the interests of Defendant A Habitat for Learning;
5. Each Defendant acted, either directly or indirectly, in the interest of an employer with respect to Plaintiff;
6. Defendants A Habitat for Learning and Loving Individuals Generating Healing Today are each engaged in interstate commerce;

7. Defendants A Habitat for Learning and Loving Individuals Generating Healing Today had an annual gross income of sales made or business done of not less than \$500,000.00 for the years covering the basis of this lawsuit;
8. In furtherance of Defendants' business, Plaintiff handled, sold, or otherwise utilized goods and materials and handled equipment that had been moved in or produced for such commerce;
9. Plaintiff was employed from on or about March 26, 2014 through on or about March 18, 2016;
10. Plaintiff was paid a flat hourly rate for hours worked; and
11. Any allegations in Plaintiff's Second Amended Complaint, which were admitted by Defendants in their Answer.

III. Estimated Length of Trial

The parties estimate that trial will take 3-4 days.

IV. Additional Matters

Both parties request a pretrial conference with the Court.

V. Counsel's Signature

Counsel conferred with each other on the matters in this Proposed Joint Pretrial Order on November 11, 2019, and the stipulations are agreed upon, and the Proposed Joint Pretrial Order is submitted to this Court for entry.

GOLDBERG & LOREN, PA

By: /s/ James M. Loren, Esq.

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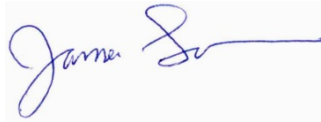
Signed this _____ day of _____, 2019.

SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed on November 11, 2019 with the Clerk of Court using CM/ECF along with having served all counsel of record or pro se parties identified on the service list incorporated herein in the manner specified, either via transmission of Electronic filing generated by CM/ECF or in some other authorized manner for those counsel or parties not authorized to receive electronically Notice of Electronic Filing.

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A handwritten signature in blue ink, appearing to read "James Loren", is written over a light gray rectangular background.

James M. Loren, Esquire

SERVICE LIST

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